REMARKS

Claims 1 – 27 are pending in the application and stand finally rejected by the Examiner. Claims 1, 6, 10 and 14 have been amended by this response to further clarify the invention. Applicants respectfully request entry of this after final action amendment, reconsideration of the rejected claims and withdrawal of the final rejection.

The Examiner rejected claims 1 – 9, 14 – 21, 24 – 25, and 27 under 35 USC § 103(a) as being unpatentable over *Nelson* (U.S. 6,496,568) in view of *Becker, et al.* (U.S. 6,591,263). This rejection is respectfully traversed. Applicants incorporate by reference their arguments in the amendment filed on August 8, 2005.

The Examiner must satisfy three criteria in order to establish a prima facie case of obviousness: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge of one of ordinary skill in the art, to modify the reference or combine their teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference or combination of references must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. MPEP § 706.02(j), citing *In re Vaeck*, 20 USPQ 2d 1438 (Fed. Cir. 1991).

Independent claims 1, 6, and 14 have been amended to further clarify that the passenger receiving notification information is a passenger "who has requested notification information at the time of making a flight reservation." Support for this amendment is found on page 6, lines 1 – 17 of the specification. Neither *Nelson* nor *Becker* teaches automatically pushing notification

information to at least one passenger who has requested notification information at the time of making the flight reservation as recited in claims 1, 6, and 14, as amended. *Nelson* actually teaches away from the step of automatically pushing notification information to at least one passenger who has requested notification information at the time of making a flight reservation. *Nelson* teaches, that when new events are identified which require notification, a step 365 is performed to determine the set of customer devices to which notification is required. Then, as long as there are customer devices remaining to be notified, step 375 is performed to notify the customer devices with the highest customer grouping criteria. Then, step 380 is performed to delay a predetermined amount of time, which allows the customer in the highest customer grouping to receive notification and take any desired action. Then, processing returns to step 370 to notify the remaining devices. When all devices have been notified as determined, step 362 is performed to delay a predetermined amount of time, then processing returns to step 355 (col. 5, l. 63 – col. 6, l. 9). Thus, *Nelson* teaches a discriminatory passenger notification system in which notification is based on a priority that is established by the airline CMM. *Nelson* fails to teach or suggest automatically pushing notification to a passenger who requested notification at the same time that the reservation was made. The present invention is neutral to all passengers that have requested notification, notifying each such passenger directly or through an agent.

Becker, et al. teaches a multi-modal traveler information system which attempts to combine all sorts of travel modes and personalized travel conditions into a single system for dissemination of information to registered customers. *Becker* teaches that data elements are collected/captured for a customer's personal profile for uniquely identifying the traveler, his

personal travel routes, and preferred notification criteria and communication devices for information delivery. Each route defined within the profile contains a description, origin, multi-modal path and destination. Customers may register particular routes for automatic notification. The notification criteria includes the preferred delivery device and the day, week, and time of day that travel on the route is anticipated (col. 5, ll. 45 – 55). *Becker* further teaches that generalized travel condition information is filtered by the system 100 according to the information provided in the pre-stored customer profiles. In the first stage of the filtering process, the location of the travel condition is compared with the routes in the customer profiles to determine which customers may be affected. For affected customers that register for automatic notification, the filtration process compares the customer's notification time window and the expected duration of the travel condition. If the customer's designated notification time window falls sometime during the expected duration of the event, a determination is then made as to when to notify the customer about the travel condition (col. 5, l. 56 – col. 6, l. 4). Thus, in order to make use of *Becker's* system, a passenger would first have to make flight reservations through a flight reservation system and then, subsequently, register his personal profile information along with particular routes for his travel itinerary in order to be notified automatically. Even if a traveler has signed up for automatic notification, it is still up to the traveler information system to decide when to notify the traveler. This is not a teaching of automatically pushing notification information to a requesting passenger. Therefore, *Becker, et al.* does not teach or suggest automatically pushing notification information to at least one

passenger who has requested notification information at the time of making a flight reservation as recited in independent claims 1, 6, and 14.

In view of the foregoing remarks, claims 1, 6, and 14 are patentable over the combination of *Nelson* and *Becker, et al.* since the combination of references does not teach or suggest all the claim limitations. Claims 2 – 5, 19, and 24 depend directly from claim 1 and are allowable for at least the same reasons that claim 1 is allowable. Claims 7 – 9, 20 – 21, and 25 depend directly from claim 6 and are allowable for at least the same reasons that claim 6 is allowable. Claims 15 – 17 and 27 depend directly from claim 14 and are allowable for at least the same reasons that claim 14 is allowable.

The Examiner rejected claims 10 – 13, 22 – 23, and 26 under 35 USC § 103(a) as being unpatentable over *Becker* in view of *Nelson*. This rejection is respectfully traversed. Applicants incorporate by reference their arguments in the amendment filed on August 8, 2005.

Claim 10 has been amended to recites that the host computer receives contact information from the passenger at the time of making a flight reservation and automatically pushes notification information to the passenger who has requested notification information at the time of making the flight reservation via the contact information. Neither of these steps are taught or suggested by *Becker, et al.*

As described above, *Becker, et al.* teaches a multi-modal traveler information system which attempts to combine all sorts of travel modes and personalized travel conditions into a single system for dissemination of information to registered customers. *Becker* teaches that data elements are collected/captured for a customer's personal profile for uniquely identifying the

traveler, his personal travel routes, and preferred notification criteria and communication devices for information delivery. Each route defined within the profile contains a description, origin, multi-modal path and destination. Customers may register particular routes for automatic notification. The notification criteria includes the preferred delivery device and the day, week, and time of day that travel on the route is anticipated (col. 5, ll. 45 – 55). *Becker* further teaches that generalized travel condition information is filtered by the system 100 according to the information provided in the pre-stored customer profiles. In the first stage of the filtering process, *the location of the travel condition is compared with the routes and the customer profiles* to determine which customers may be affected. For affected customers that register for automatic notification, the filtration process compares the customer's notification time window and the expected duration of the travel condition. If the customer's designated notification time window falls sometime during the expected duration of the event, a determination is then made as to when to notify the customer about the travel condition (col. 5, l. 56 – col. 6, l. 4). Thus, in order to make use of *Becker's* system, a passenger would first have to make flight reservation through a flight reservation system and then, subsequently, register his personal profile information along with particular routes for his travel itinerary in order to be notified automatically. Even if a traveler has signed up for automatic notification, it is still up to the traveler information system to decide when to notify the traveler. This is not a teaching of automatically pushing notification information to a requesting passenger. Therefore, *Becker, et al.* does not teach or suggest automatically pushing notification information to at least one passenger who has requested notification information at the time of making a flight reservation
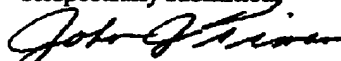
as recited in independent claim 10. Although the rejection was stated as being based on a combination of *Becker, et al.* and *Nelson*, the Examiner did not apply any teaching of *Nelson* to this claim.

Therefore, claim 10 is patentable over the combination of *Becker, et al.* and *Nelson* since the combination of references does not teach or suggest all the claim limitations. Claims 11 – 13, 22 – 23, and 26 depend directly from claim 10 and are allowable for at least the same reasons that claim 10 is allowable.

In view of the above, it is submitted that the rejections of the Examiner have been properly addressed and the pending claims are in condition for allowance. It is respectfully requested that the Examiner withdraw her final rejection and allow claims 1 – 27. It is also requested that the Examiner contact applicant's attorney at the telephone number listed below should this response not be deemed to place this application in condition for allowance.

Respectfully submitted,

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